

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the following remarks.

The Applicants originally submitted Claims 1-20 in the application. Pursuant to a restriction requirement, the Applicants subsequently canceled Claims 8-20 without prejudice or disclaimer. The Applicants also previously added Claims 21-28. Presently, the Applicants have amended Claims 1 and 25, and have canceled Claims 6 and 7. No other claims have been amended, canceled nor added. Accordingly, Claims 1-5 and 21-28 are currently pending in the application.

I. Rejection of Claims 1-28 under 35 U.S.C. §102

The Examiner has rejected Claims 1-28 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,418,692 to Nemoto (“Nemoto”). It should first be noted that Claims 8-20 were previously canceled without prejudice or disclaimer and thus were not present in the case upon which the present Examiner's Action is based. It should also be noted that Claims 6 and 7 have currently been canceled without prejudice or disclaimer. Accordingly, the only pending claims forming the basis for the Examiner's §102 rejection are Claims 1-5 and 21-28. With that said, independent Claims 1 and 25 of the present invention currently recite an inner well having a periphery extending along a periphery of a base, and an outer well extending along the periphery of the inner well. Nemoto fails to disclose these elements.

Nemoto is directed to a tray for semiconductor devices. (Title) Nemoto, as shown in Illustrations 1 & 2 below (FIG.s 1 & 4 of Nemoto), discloses that a plurality of bases 4 each have

inner wells 5 extending along a periphery thereof. Nemoto does not teach, however, that the inner wells 5 each have outer wells extending along a periphery thereof, as presently claimed. The Examiner might attempt to say that the inner well of one base 4 acts as the outer well of an adjacent base 4. Nevertheless, if that were the case the so called outer well could not physically extend along the periphery of the inner well (e.g., as a result of it surrounding the periphery of another base), as currently claimed.

F I G. 1

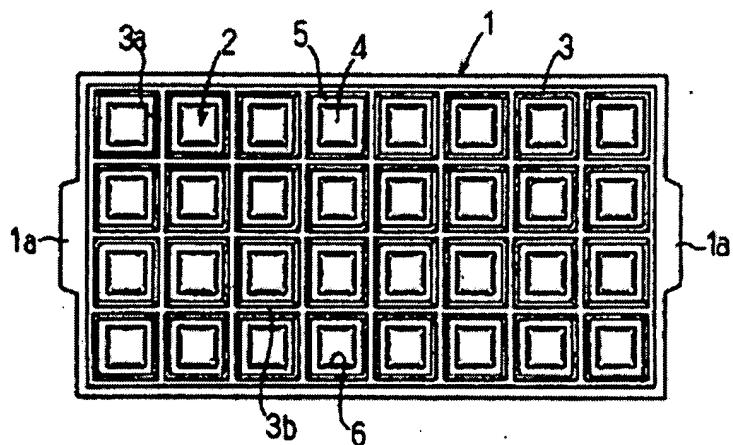


Illustration 1

F I G. 4

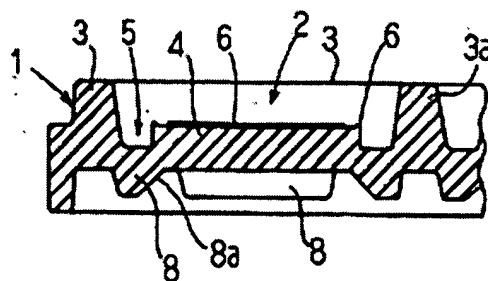


Illustration 2

Therefore, Nemoto does not disclose each and every element of the claimed invention and as such, is not an anticipating reference. Because Claims 2-5, 21-24 and 26-28 are dependent upon Claims 1 and 25, Nemoto also cannot be an anticipating reference for Claims 2-5, 21-24 and 26-28. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to all these Claims.

II. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-5 and 21-28.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

HITT GAINES, P.C.



Greg H. Parker
Registration No. 44,995

Dated: 9-16-01

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800